

REGULAR MEETING OF THE CITY COUNCIL
CITY OF CALEDONIA, MINNESOTA
Monday, June 27, 2011

CALL TO ORDER. Following due call and notice thereof, Mayor Burns called the meeting to order at 6:00 p.m. in the Council Room, City Hall.

ROLL CALL. Members present: Mayor Robert H. Burns; Council Members: Robert Lemke, Tom Murphy, Member Vick and Paul Fisch. Members absent: None. Consultants and City staff present: City Clerk/Administrator Jennifer Feely and Administrative Coordinator Mike Gerardy. Visitors present: Matt Blocker and Argus Reporter Charlie Warner.

AGENDA APPROVAL. The following items were added to the agenda for discussion: Council on Local Results and Innovation Program, Sale of Old Ambulance Phones, Recap of AFG Award, Nuisance Issue, and Water Tower Update. A motion was made by Mayor Burns, seconded by Member Fisch, to approve the agenda with the addition of the above-mentioned items. All those present voted in favor and the motion was declared carried.

A. MINUTES OF PAST MEETINGS. A motion was made by Member Fisch, seconded by Mayor Burns, to approve the Regular City Council Minutes of June 13, 2011, as presented. All members present voted in favor and the motion was declared carried.

VISITORS AND COMMUNICATIONS.

A. PUBLIC HEARING: ZONING PERMIT REQUEST FOR 139 BISSEN STREET. A public hearing was held at 6:03 p.m. to consider a zoning application submitted by Jeb Griffith, 139 Bissen Street, proposing to construct a 32'x42' addition to an existing building. Administrative Coordinator Gerardy noted that the proposal requires consideration of a 24' setback variance on the South (front) property line. Brad King and Jim Hoscheit were in attendance on behalf of the zoning application. King and Hoscheit noted that the purpose of the proposed addition is to allow for more distribution area. Hoscheit noted that Miken Sports would still have access to the road with this addition. Mayor Burns inquired as to accessibility to the building as far as loading and unloading trucks are concerned, and whether there would be sufficient clearance for such vehicles. Member Vick stated that she does not want to see trucks hanging out into the street as it poses a safety concern. Mayor Burns stated that he would like to see the overhead doors placed on the east side of the building so as to eliminate potential safety and liability concerns. Hoscheit stated that they can put doors on the east side of the building instead. Hoscheit went on to note that structurally, the addition will look the same as the other existing buildings. Hearing no comments or concerns from property owners within 350' of the property, the hearing was closed at 6:14 p.m. Mayor Burns stated that it's becoming a practice to issue variances and that he has concerns with how the variance could hinder future changes associated with sidewalk installation or street widening. Member Fisch stated that the unloading dock will have to be placed on the east side of the building for him to vote in favor of the variance request. Mayor Burns stated that he is concerned with the setback. Hoscheit stated that the building will look aesthetically pleasing when it is finished. Member Murphy stated that since the request concerns the industrial area, the City can be more flexible than if the request were coming from a residential area. Member Murphy went on to note that if traffic issues arise from the addition, he hopes that Hoscheit and Miken Sports will be a good neighbor and address any such issues. After a lengthy deliberation, a motion was made by Member Murphy, seconded by Member Lemke, to grant the request so long as the loading dock doors are on the east side on the building. Voting in favor: Lemke, Murphy, and Fisch. Voting Against: Burns and Vick. The motion was declared carried.

B. **PHYLLIS CHIGLO COMPLAINT.** Phyllis Chiglo and her daughter, Kari Neumann, were present to request the Council's consideration in amending the City's ordinance to include a requirement that dogs be chained up in backyards versus front yards. Chiglo explained that she was attacked and bit by a dog owned by Nancy Steele, 617 East Washington Street. Chiglo reported that the dog broke off its chain, while being tied up in the front yard, and ran into the street where Chiglo was walking and bit her leg. Chiglo went on to share that she contacted the Police Chief and Animal Control Officer regarding the incident, and commented that she found both individuals to be very helpful. Chiglo stated that she shouldn't have to be afraid to go for a walk and that people need to tie up their dogs in the backyard versus the front yard. The consensus of the Council is to take the request under advisement and research other cities' ordinances before making any changes. The Council directed Feely to look into declaring the dog as a dangerous dog as has been the past practice when a dog attacks an innocent bystander. Feely noted that she has not been contacted by the Police Department or the Animal Control Officer regarding this incident. Feely stated that she will obtain a copy of the incident report and report back her findings at the upcoming meeting.

C. **CITY FINANCE TOPICS: CASH AND INVESTMENT BALANCE.** City Clerk/Administrator Feely shared that the latest update from the League of Minnesota Cities was that if a government shutdown were to occur, the Department of Revenue would not have sufficient staff to issue payment to cities. However, Feely pointed out that the LMC is currently fighting to ensure that sufficient staffing is available to issue payment to cities. Discussion ensued. The consensus of the Council is that the City will have to wait and see what develops in the next week or two with respect to the looming state government shutdown.

D. **ADMINISTRATIVE COORDINATOR TOPICS.**

1. **ZONING APPLICATION: 524 EAST GROVE STREET.** Administrative Coordinator Gerardy shared that a zoning application was received from the property owner located at 524 East Grove Street regarding installing a fence two feet from the sidewalk on a corner lot. It was noted that the property is located at East Grove Street and South Winnebago Street. The property owner, Chris Fox, was in attendance and stated that he would like to construct a six foot tall fence across the back and sides of his property as well as a four or five foot tall slotted fence across the front of the property. Gerardy stated that it is not the norm to fence front properties as there is a concern with visibility. Gerardy went on to question where the snow will be pushed in the wintertime if there is a fence on the east side adjacent to the sidewalk. Fox replied that he owns a snow blower and should be able to blow the snow over the top of the fence. The consensus of the Council is to allow the fencing from the northeast corner of the house to the sidewalk on the east side, run fencing south to the front corner of garage, leaving 1' from the sidewalk, and install fencing along the property line of the adjacent neighboring property. No official action was taken.

2. **RAMSEY STREET WATER TOWER REPAIR.** Administrative Coordinator Gerardy shared that three proposals were received from contractors to repair the Ramsey Street water tower riser. The following proposals were received: \$29,500.00 from Maguire Iron, Inc., \$14,775.00 from Central Tank Coatings, Inc., and \$13,100.00 from Water Tower Clean and Coat, Inc. Based upon the recommendation of Water/Wastewater Supervisor Tony Klug and Administrative Coordinator Gerardy, a motion was made by Mayor Burns, seconded by Member Murphy, to hire Water Tower Clean and Coat, Inc. at a cost of \$13,100.00 to repair the Ramsey Street Water Tower. All members present voted in favor and the motion was declared carried.

E. **COMMUNICATIONS.**

1. **LETTER FROM AROUND TOWN PROMOTIONS.** A letter was attached with the agenda from Around Town Promotions regarding a request to plug in a portable sign at the

police department. Discussion ensued. The consensus is to charge a flat rate of \$10.00 per day when the sign is plugged in.

OLD BUSINESS.

A. FOLLOW-UP TO AMBULANCE CLAIM INQUIRY. City Clerk/Administrator Feely shared that attached with the agenda was correspondence from Ambulance Director Mike Tornstrom regarding a claim paid to a Spring Grove Ambulance Crew Member for assistance provided during a Caledonia Ambulance call. The consensus is that the claim was paid correctly.

B. FOLLOW-UP TO VANDALIZED PLAYGROUND EQUIPMENT INQUIRY. City Clerk/Administrator Feely shared that per her inquiry to City Insurance Agent Tom Danielson regarding whether the City's playground equipment is covered by insurance, a claim will be submitted for the damaged equipment. Since the City's deductible is \$1,000.00, and the cost to repair the playground equipment is approximately \$1,900.00, it is appropriate to submit a claim to insurance. No official action was taken as this item was included for informational purposes.

NEW BUSINESS.

A. HIRING OF ADDITIONAL PART-TIME POLICE OFFICERS. City Clerk/Administrator Feely shared that the City's Personnel Committee, consisting of herself, Mayor Burns, Member Murphy, and Police Chief Zehnder, recently interviewed three applicants for the position of part-time police officer. Feely stated that the Personnel Committee, along with the Police Chief, recommends to the City Council that the following individuals be hired as part-time police officers for the City of Caledonia, at an hourly rate of \$17.95, contingent upon the completion of favorable background checks: Jacklyn Lund, Tyler Heiden, and Jase Guetter. Feely noted that Heiden is currently POST licensed, while Lund and Guetter are POST license eligible. It was further noted that POST license eligible means that the individual has completed all of the educational requirements and passed the Minnesota Peace Officer Licensing Exam, and is waiting to be hired by a law enforcement agency. A motion was made by Mayor Burns, seconded by Member Murphy, to hire Jacklyn Lund, Tyler Heiden, and Jase Guetter as part-time police officers, contingent upon the completion of favorable background checks. All members present voted in favor and the motion was declared carried.

B. FIREFIGHTER RESIGNATION. City Clerk/Administrator Feely shared that attached with the agenda was a letter of resignation from firefighter Matt Hoscheit, effective June 15, 2011. Feely noted that Hoscheit served the Caledonia Fire Department since August 28, 1992. Member Vick suggested that a thank you letter be sent to Hoscheit, thanking him for his many years of service. A motion was made by Member Murphy, seconded by Member Fisch, to accept the resignation of firefighter Matt Hoscheit, effective June 15, 2011. Abstaining: Lemke. Voting in Favor: Murphy, Fisch, Vick, and Burns. Voting Against: None. The motion was declared carried.

C. FINAL DRAFT OF PROPOSED PERSONNEL POLICY. City Clerk/Administrator Feely stated that attached with the agenda was a final draft of a proposed personnel policy. It was noted that the draft policy is based upon a model template offered by the League of Minnesota Cities (LMC). Feely went on to point out that the LMC strongly recommends that cities develop personnel policies in an effort to guide the council and administrative staff in decision-making on employment matters. Feely emphasized that any provisions agreed to by the City and a bargaining unit in a union contract will prevail over requirements established in a personnel policy. Feely went on to stress that a personnel policy is a work in progress as there will be ongoing revisions and updates necessary due to changes in state and federal law. It was noted that the Personnel Committee, consisting of Mayor Burns, Member Murphy, and Feely,

recommends adoption of the policy. Discussion ensued. Member Vick noted that she had various questions and would need more time to review the policy. No official action was taken as the consensus is for Member Vick to email Feely her list of changes and revisit the policy at the upcoming meeting.

D. LIBRARY PETTING ZOO REQUEST. City Clerk/Administrator Feely shared that Library Director Marla Burns requested permission to hold a petting zoo, in conjunction with the Summer Reading Program, behind City Hall in Gazebo Park from 10:00 a.m.-11:00 a.m. on Thursday, July 21. A motion was made by Member Vick, seconded by Member Lemke, to approve allowing a petting zoo to take place in Gazebo Park, from 10:00 a.m.-11:00 a.m. on Thursday, July 21. All members present voted in favor and the motion was declared carried.

E. CALEDONIA CARE AND REHAB SPECIAL ASSESSMENT REQUEST. City Clerk/Administrator Feely shared that Caledonia Care and Rehab Administrator Lloyd Swalve recently contacted the City regarding specially assessing charges incurred for electrical work at his facility in conjunction with the 2011 Electrical Project. Discussion ensued. A motion was made by Mayor Burns, seconded by Member Murphy, to approve Caledonia Care and Rehab's request to specially assess charges for electrical improvements over the course of three to five years at an interest rate of 5%. Voting in favor: Burns, Murphy, Lemke, and Vick. Voting against: none. Abstaining: Fisch. The motion was declared carried.

F. REQUEST FOR CITY TO SERVE AS CLINICAL EDUCATION SETTING FOR AMBULANCE FIRST RESPONDER. City Clerk/Administrator Feely shared that Caledonia Ambulance Director Mike Tornstrom requested authorization to allow the Caledonia Ambulance to serve as a Clinical Education Setting for Ambulance First Responder Patty Goetzinger so that she can complete her EMT-Basic program through Western Technical College. Feely noted that Goetzinger shall not receive pay for services relating to the EMT-Basic program. It was further noted that City Attorney Tim Murphy reviewed and approved signing the agreement. Discussion ensued. A motion was made by Mayor Burns, seconded by Member Fisch, to approve signing the Clinical Education Setting Agreement so long as the City is named as an additional insured on the certificate of liability insurance. All members present voted in favor and the motion was declared carried.

G. AUDITORIUM PHONE OPTIONS. City Clerk/Administrator Feely shared that Administrative Coordinator Gerardy researched options available regarding eliminating the phone line at the City Auditorium in an effort to realize a cost savings. Feely noted that according to her research, there is no statutory requirement for public buildings to provide access to a telephone, however, given the fact that there is an elevator lift in the building, providing access to 911 is not an option. Information regarding a hands free emergency phone for the elevator lift was reviewed. It was noted that initially, there would be some upfront costs as far as purchasing the device and labor for installation. Once the equipment has been installed, there will be a one-time set up fee of \$24.00 and a \$2.50 per month charge thereafter. In 2010, the City paid \$489.75 in telephone charges to ACE Communications. Feely stated that if the City were to install the emergency phone equipment, there would eventually be a cost savings. Discussion ensued. Member Fisch stated that he was in favor of purchasing and installing the hands free emergency equipment sooner rather than later. Mayor Burns stated that he'd like to wait until 2012 to implement the change so as to avoid exceeding the line item budgeted amount for 2011. The consensus of the Council is to hold off until 2012. Feely stated that she will put this information in the 2012 budget file.

H. THE RANCH'S 2AM LIQUOR LICENSE RENEWAL REQUEST. City Clerk/Administrator Feely shared that attached with the agenda was a request from The Ranch to

renew its 2AM liquor license. Discussion ensued. Member Murphy inquired as to how many incidents have taken place between 1:00 a.m. and 2:00 a.m. Member Fisch inquired as to when Elsie's 2AM license was renewed. No action was taken as the consensus is for Feely to have the Police Department provide data on the number of calls related to incidents at bars between the hours of 1:00 a.m. and 2:00 a.m. and report back at an upcoming meeting.

I. RESOLUTION 11-2011. City Clerk/Administrator Feely shared that attached with the agenda is a resolution agreeing to lead the path extension project and participate in project costs associated with the MnDOT Municipal Agreement Program. Feely noted that the resolution is part of the preliminary submittal package to MnDOT in an effort to obtain Trunk Highway funding for a proposed trail extension project along Trunk Highway 44. Discussion ensued. A motion was made by Member Fisch, seconded by Member Murphy, to approve Resolution 11-2011. All members present voted in favor and the motion was declared carried.

J. SMALL CITIES DEVELOPMENT PROGRAM GRANT AWARD. City Clerk/Administrator Feely shared that attached with the agenda was an email received from Michelle Vrieze with Community and Economic Development Associates (CEDA), formerly known as Southeastern Minnesota Development Corporation, regarding the Small Cities application that was recently awarded funds to rehab three commercial and three housing projects in the City of Caledonia. Feely noted that Caledonia will receive funding for three homes and three commercial rehab projects. The residential project funding consists of \$18,000.00, while the commercial project funding totals \$20,000.00 for Caledonia. No action was taken as this was included for informational purposes.

K. REQUEST TO ATTEND FUNDRAISING WORKSHOP. City Clerk/Administrator Feely requested permission to attend a fundraising workshop to be held in Winona on July 13, from 3:30 p.m. to 7:00 p.m. Feely noted that the seminar is fundraising-focused, and highly relevant to the proposed pool project. A motion was made by Mayor Burns, seconded by Member Lemke, to authorize sending City Clerk/Administrator Feely to a fundraising workshop to be held in Winona on July 13 at a cost of \$30.00. All members present voted in favor and the motion was declared carried.

CLERK'S REPORT.

A. EMPLOYEE TIME RECORD. Enclosed with the agenda was the Employee Time Record for May 30, 2011-June 12, 2011.

B. COMMUNITY POOL STEERING COMMITTEE MEETING NOTICE. City Clerk/Administrator Feely shared that the upcoming Community Pool Steering Committee Meeting will be taking place on Monday, July 18 at 7:30 p.m. in the American Legion Shelter. Mayor Burns stated that the City Council meeting will continue at that time.

C. RECAP OF \$661,218.00 AFG AWARD. City Clerk/Administrator Feely reviewed the status of the AFG award dollars. The following recap was provided:

\$661,218 – Grant Award

-\$18,768 – M&A (Personnel Benefits for Efforts to Manage Grant)

-\$1,500 – Grant Writer's Fee

\$640,950.00

-\$484,872.93 - Expenditure for Equipment (125 portables, 63 mobiles, and 7 base stations)

\$156,077.07

-\$98,258.74 – Expenditure for Equipment (231 pagers)

\$57,818.33 – Unused Funds (Installation costs can be taken out of unused funds. If there are remaining funds after the requested scope of work, 1% (\$6,612.00) can be used to purchase additional equipment, such as radios.)

MISCELLANEOUS ITEMS.

A. NUISANCE PROPERTY. Mayor Burns shared that he was contacted by a resident about a nuisance property. City staff will look into the matter.

B. BALL FIELD UPDATE. Mayor Burns provided an update with respect to the ball field project. Mayor Burns noted that the problem is that the aggregate comes to the surface and becomes a safety issue. It was reported that the consensus of the Park and Rec Committee is to try and salvage the material already on the field by finding a way to screen the lime chips from the infield material. Clay would be put down as the underlayment. It was noted that the washed lime chips are 1/3" and that the screen size needs to be an 1/8". Mayor Burns will look into pricing to obtain a screening/shifting setup in an effort to salvage the already applied infield material.

C. SALE OF OLD AMBULANCE CELL PHONES. City Clerk/Administrator Feely shared that a request was received from Ambulance Director Mike Tornstrom regarding selling two old cell phones as a crew member indicated an interest in purchasing the phones. It was noted that the old phones would be disposed of unless someone was interested in purchasing them. It was further noted that since the phones are twelve years old, the consensus is to sell both for \$5.00 total as they no longer have any value.

RECESS. There being no further business before the Council, Mayor Burns recessed the meeting at 9:55 p.m. until 7:00 p.m. on Tuesday, June 28, 2011 at the American Legion Shelter in Caledonia.

Robert H. Burns, Mayor

Jennifer Feely, City Clerk/Administrator

CONTINUED MEETING OF THE CITY COUNCIL
CITY OF CALEDONIA, MINNESOTA
TUESDAY, JUNE 28, 2011
7:00 P.M.
AMERICAN LEGION SHELTER

CALL TO ORDER: Following due call and notice thereof, the meeting was called to order at 7:00 p.m. at the American Legion Shelter in Caledonia.

ROLL CALL: Members present: Mayor Robert Burns; Councilmembers: Tom Murphy, Paul Fisch, and Bob Lemke. Absent: Randi Vick. City staff present: Jennifer Feely. Visitors present: Aaron Hunter and Nick Nowacki with USAquatics, Lois Greer, Karen Hagerott, Randy Weibel, Julia Benson, Kim Schieber, Carolyn Medin, Josh Wolfe, Pam Griffith, and Mary Mell.

BUSINESS ITEM.

A. COMMUNITY POOL STEERING COMMITTEE MEETING. Eighteen persons were in attendance at the meeting. USAquatics reported that structurally, the pool is solid. However, the recirculation pumps and wiring are outdated and must be updated soon. Three design options

and corresponding budget estimates were presented. All three options included a renovation of the existing bathhouse as it is not ADA compliant. The first option came in at \$1,064,659, the second option came in at \$1,865,349, and the third option came in at \$1,064,659. It was noted that the explanation for the pricing variations is due to add on features such as slides, etc. Much discussion ensued. In an effort to save on costs, a suggestion was made to solicit volunteer labor for demolition of the bathhouse interior as well as painting the exterior of the bathhouse. USAquatics noted that any demolition having to do with the pool would be considered specialty work and should be done by professionals; however, they confirmed that volunteer labor could be used to save anywhere from \$10-30,000 for demolition of the interior of the existing bathhouse and painting the exterior of the bathhouse. It was also noted that the project can be piecemeal so that most of the work can be kept locally and benefit area contractors. A question arose from several committee members regarding the possibility of doing a referendum to pay for the pool project. Mayor Burns asked the group in attendance how many felt that the community could raise the funds solely through donations. Only a couple people raised their hands. USAquatics said that in all the communities that they have worked with, only one (Owatonna) was able to complete their project relying solely on donations without doing a referendum or a combination of a referendum and hiring a professional fundraiser. It was noted that City Clerk/Administrator Feely and Committee Member Joanne Zard will be attending a fundraising workshop in a couple weeks to visit with a fundraising consulting firm. Next, Mayor Burns asked how many people think the City Council should do a referendum. A large majority of the committee members present stated that they would like to see a referendum as they felt that there is sufficient support in the community for a pool improvement project. Mayor Burns pointed out that the City Council's position has been to fundraise the project as conducting a referendum makes the project a city project and not a Caledonia Area project, meaning that townships would be excluded. Member Murphy commented that one of the reasons that the City Council would like to fundraise the project versus finance through a referendum is due to the fact that the City is facing aging sewer infrastructure and will have to undertake a sewer rehabilitation project and rehabbing of the wastewater treatment plant within the next few years. After much discussion, USAquatics noted that the next step in the process will be to obtain feedback from the City so as to be able to draw the final plan and put together the final budget. The consensus of the committee is to schedule another committee meeting within a couple weeks so that everyone has ample opportunity to review and digest the schematic designs and budget estimates before making a determination as to which design can best meet the needs of the Caledonia Area Pool patrons.

B. COUNCIL ON LOCAL RESULTS AND INNOVATION PROGRAM. City Clerk/Administrator Feely shared that attached with the agenda was a letter from the Office of the State Auditor regarding the Council on Local Results and Innovation Program. It was noted that in February 2010, a standard set of ten performance measures for counties and ten performance measures for cities was put in place in an effort to aid taxpayers, residents, and state and local elected officials in determining the efficiency of counties and cities in providing services, and to measure residents' opinions of those services. It was further noted that participation in the standard measures program is voluntary. A city or county that elects to participate in the standard measures program for 2011 is eligible for a reimbursement of \$0.14 per capita in local government aid, not to exceed \$25,000 and is also exempt from levy limits for taxes payable in 2012, if levy limits are in effect. In order to receive the per capita reimbursement in 2011, and levy exemption for calendar year 2012, cities must file a report with the Office of the State Auditor by July 1, 2011. Annual reporting will be required thereafter for those cities that choose to participate. Discussion ensued. The consensus of the Council is to forgo participation in the Council on Local Results and Innovation Program for 2011.

ADJOURNMENT: A motion to adjourn was made at 8:45 p.m. by Member Fisch, seconded by Member Lemke. All members present voted in favor and the motion was declared carried.

Robert H. Burns, Mayor

Jennifer Feely, City Clerk/Administrator